

CITY OF BELMONT
PLANNING COMMISSION
ACTION MINUTES

TUESDAY, JANUARY 16, 2007, 7:00 PM

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Frautschi, Mayer, McKenzie, Mercer, Wozniak
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Associate Planner Walker (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS).

2. AGENDA AMENDMENTS

At Commissioner Frautschi's request, CDD de Melo asked that item 5B be discussed before item 5A. Amendment approved by consensus.

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of December 19, 2006

MOTION: By Commissioner Frautschi, seconded by Vice Chair Horton, to accept the Action Minutes of December 19, 2006, as presented.

Ayes: Frautschi, Horton, McKenzie, Mercer, Wozniak, Parsons
Noes: None
Abstain: Mayer

Motion passed 6/0/1

5. OLD BUSINESS:

5B. Revised Resolution – Single-Family Design Review – 525 Kingston Avenue

AP Walker summarized the staff memorandum, recommending approval of the revised resolution, which eliminates the Certificate of Appropriateness, indicates removal of the shed structure, and

includes direction for the project to be declassified by the City Council. She confirmed that a revised landscape plan was in progress.

Responding to Commission Wozniak's question, CDD de Melo clarified that if the Commission approves the resolution as presented to them, the applicant would have a Single Family Design Review conditional upon declassification at a future Council meeting. No building permits would be issued for the garage until that action is taken by Council.

Commissioner Frautschi recommended continuance of the project because he had not received all of the supporting documents and the requirement for a landscape plan was not included in the revised Exhibit A.

Commissioner Mercer had concerns that once the property is declassified there can be considerable square footage added on to it; if it becomes a standard R1 zoning the owner or any future owner could come back with any kind of tear down/remodel/rebuild. She wanted it on the record for City Council reference that she hopes they will look at and discuss options to in some way monitor the future development of this property.

CDD de Melo clarified that the declassification does not change the zoning from R1-A and that any other 15,000-square-foot lot is allowed up to 3500 square feet. Policy discussion can take place at staff, City Attorney and Council levels when they look at the declassification of this particular site to address Commissioner Mercer's concerns about safeguarding additional development.

MOTION: By Commissioner Frautschi, seconded by Chair Parsons, to continue the Single-Family Design Review for 525 Kingston Street to clean up the resolution and the conditions, and for receipt of a Landscape Plan. (Appl. 2005-0051)

Ayes:	Frautschi, Parsons, McKenzie, Mercer, Wozniak, Horton
Noes:	None
Abstain:	Mayer

Motion passed 6/0/1

5A. Final Landscape Plan – Notre Dame High School – 1540 Ralston Avenue

Commissioner Frautschi recused himself from this item and item 6A as he lives within 500' of the subject property.

CDD de Melo summarized the staff memorandum, recommending approval of the Landscape/Tree Removal Plan, noting that the applicant's team and some neighbors were in the audience.

Chair Parsons asked that the shrubs on the left side of the drawing, near the Tanbark Oaks, be identified. Brian Fletcher, landscape architect for the project, responded that the identification of the shrubs was an oversight and he would probably recommend planting of Spiraea in that area.

Commissioner McKenzie noted that the tree scheduled for removal at the far left of the gate had already been removed. Mr. Fletcher stated that it was still there at the time of his site walk with the neighbors but that it was in poor condition.

Commissioner Wozniak asked for clarification of the number of trees to be removed. CDD de Melo responded that after looking at the health of the 20 Elms that were to be removed, they have come up with a plan to remove only 5 Elms plus the 3 Pepper trees. Mr. Fletcher stated that it was very important to the neighbors that the canopies remain at this time. They will try to do a phased approach by allowing the new trees to grow before taking down the remaining Elms. Once there is sufficient canopy in front of those trees they will come back or remove the diseased trees or the Plums that really do not belong there and bring in some new trees that more appropriate trees. They are proposing to remove 8 mature trees that are diseased and plant 16.

Commissioner Wozniak commented that, since this an institutional landscape plan and its main purpose is to screen a parking lot, she would like to see elevations showing what this plan will look like in 5 and/or 10 years.

Jonathan Penn, resident of Notre Dame Avenue, concurred with Commissioner Wozniak that the main thing they have been looking for for 6 or more years is the visual barrier. He commented that the neighbors are insistent about the gradual removal of the plants because plants have been removed and nothing has come up but the Pittosporum, which is not being maintained. They also have an issue with the drainage, which they feel is partly the City's responsibility because the landscaping gets ruined every winter with the rains and floods since there are no curbs and no drainage, and by people driving their cars onto the landscaping. In addition, they would like to see a mechanism in place to assure that the area is being maintained on a scheduled basis.

Mr. Fletcher responded to questions from the Commission as follows:

- The Pittosporum was planted along the front fence line before he was hired. It will grow tall and screen the fence if it has irrigation, which it did not have when first planted. A drip irrigation system has since been installed, the plants are now growing and he plans to continue to work with the school on maintenance. He believes that with proper maintenance the Pittosporum will eventually cover the chain link fence.
- They are evaluating two different irrigation systems that cannot be easily vandalized.
- He understands that the front area by Ralston is one of the big drainage culprits. The street needs some sort of drainage system. A vertical curb and gutter that directs to a new catch basin would be ideal because it would take care of both the drainage and the cars actually going on to the landscaping, or at the very least a concrete valley gutter to direct water to a catch basin. There are catch basins on the opposite side of the street so there are underground storm drain lines that could be tied into without a lot of effort.
- A fence or logs could keep the cars out but would only be part of a fix to a larger problem with the drainage.

CDD de Melo stated that staff will discuss the drainage issue with the Public Works Department. Commissioner McKenzie believed that their response will be that it is low on the priority list. He added that the neighbors and the school have lived with this drainage problem for 20 or 25 years

and it was the consensus at a neighborhood meeting that drainage is the biggest problem on that street. They felt that the likelihood of some of this landscaping surviving is low and that investing this amount of time, effort and money is wasted by allowing the street to be in disrepair. Chair Parsons stated that all the Commission can do is to make a recommendation to Council.

Chair Parsons supported the plan and suggested the use of wood bollards and rope or something similar to keep the cars off of the landscaping, and the inclusion of conditions that any dead *Pittosporum* be replaced and that the irrigation is working. He expressed appreciation to the school for working with the neighbors to try to make it better.

Commissioner Mercer felt that the plan will make a tremendous improvement, and appreciated the variety of tall heritage trees that are included. She recommended the use of boulders interspersed naturally in places so that cars could not get through.

Chair Parsons agreed with the idea of having elevations at 5, 10 and 20 year intervals in the future. Commissioner Wozniak explained that her point of wanting an elevation is so that future Commissioners can be sure that the plan is proceeding and so that neighbors do not have to keep returning to make sure that what was supposed to be there is there. She added that she would like to have all existing plants called out for this particular plan so that the Commission could know that the applicant is living up to their agreement.

CDD de Melo re-stated four conditions that will be part of this resolution: 1) replace the dead *Pittosporum*, 2) assure that the irrigation system is in working order, 3) call out the existing plants, and 4) provide an elevation plan. Staff will typically maintain a final drawing and could notify the Commission when that elevation comes in, but could memorialize these conditions via this resolution.

Commissioner Mayer liked the idea of recognizing that there is a maintenance problem with traffic, and felt that to protect the investment and include some kind of border is in everybody's interest. Vice Chair Horton noted that legally the applicant is not allowed to place anything within the public right-of-way. CDD de Melo stated that any structure in the public right-of-way would require an encroachment permit via the City Council but that is their decision if they want to install something within their private property that is in concert with Commission comments.

Mr. Penn asked how long it will take before they see things get planted. Mr. Fletcher responded that once the final plan is in place, bid documents and an irrigation plan need to be prepared, then there will be a bid period of 2-3 weeks, and he would guess that from first shovel going in it will still be 3 months out.

Responding to Commissioner Mayer's question about where maintenance is covered, CDD de Melo stated that there is boilerplate language that is used for landscape plans that indicate that existing plantings need to be maintained to their current capabilities. He will include that in the added conditions.

MOTION: By Vice Chair Horton, seconded by Commissioner McKenzie, to adopt the resolution approving a Notre Dame Avenue Frontage Landscape/Tree

Removal Plan for Notre Dame High School at 1540 Ralston Avenue., with the added conditions as stated above. (Application No. 2007-01).

Ayes:	Horton,	McKenzie,
Mayer, Mercer,	Wozniak,	Parsons
Noes:	None	
Recused:	Frautschi	

Motion passed 6/01

6. PUBLIC HEARINGS

Commissioner Frautschi recused from this item also.

6A. PUBLIC HEARING -1540 RALSTON AVENUE

To consider a Conditional Use Permit to amend the Notre Dame High School Detailed Development Plan for consistency with the previously approved June 2006 Conceptual Development Plan and Tentative Parcel Map that permitted subdivision of the property into two parcels. (Appl. No. PA2007-0001)

APN: 044-360-060

ZONING: PD – Planned Development

CEQA Status: Recommended Categorical Exemption per Section 15315

Applicant: BKF Engineers

Owner: Notre Dame High School

AP walker summarized the Staff Report, recommending approval.

Commissioner Mercer asked, for the record, what dictated the exact location of the dividing line that was created. CDD de Melo responded that he believed that the creek provided a natural delineation point for the project, but the applicant's engineer was not present to confirm that. He added that they were there to look at a change that has been addressed in the CDP. It was largely done for financial reasons to allow for different financing to be obtained for both parcels – the Province Center property separate from the high school property. The entire site remains Planned Development and is still governed by the maximum development potential that currently exists for that site.

Commissioner Mayer asked if there is an easement since all access to this property is through other properties. CDD de Melo stated that there are two easements, one through what was formerly College Way, which is now Laxague Way, and the other through Notre Dame Elementary School. Commissioner Mayer asked if all of the parking is in their PD zone. CDD de Melo responded that there are spaces within the Province Center parcel as well as additional parking that was created for the high school gymnasium. Chair Parsons believed there is also overflow parking on the Elementary School tennis courts.

Chair Parsons opened the public hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Mercer, to close the public hearing. Motion passed by a show of hands.

MOTION: By Vice Chair Horton, seconded by Commissioner McKenzie, to accept the resolution approving a Conditional Use Permit to Amend the Detailed Development Plan at 1540 Ralston Avenue (Appl. 2007-001).

Ayes: Horton, McKenzie, Mayer, Mercer, Wozniak, Parsons
Noes: None
Recused: Frautschi

Motion passed 6/0/1

7. REPORTS, STUDIES AND UPDATES:

Commissioner Frautschi returned to the podium.

CDD de Melo reported as follows:

7C. 2900 Hallmark – 7-Lot Subdivision

He had met with the property owner of 2996 Hallmark on January 5th to review the approved landscape plan for that particular subdivision, clearly outlining for him that there were at least two trees that had been removed. They plan to meet again with a landscape architect to talk about an alternative landscape plan for the entire corner, and he will bring it to the Planning Commission and the Homeowners Association if they can work out a solution. He had not yet heard from 2976 Hallmark so will send out another courtesy letter. If he does not get action within 10 days, an administrative citation will be issued for that property.

7A. Motel 6 – 1101 Shoreway Road

He believed there was a meeting between the Police Department and the Motel 6 security representatives but had not yet had an update from Chief Mattei. He will have something more concrete for the next Planning Commission meeting.

7B. Belmont Entry Sign

Parks and Recreation Department is working on bids and alternatives for the sign. He will follow up with Director Politzer.

There will be a **Special Meeting of the Redevelopment Agency and the City Council** on Thursday January 25th at 6:30 p.m. to discuss the Economic Development Strategy, Phase II. He will also be providing a General Plan Update at that meeting, and hopes to be authorized to move forward with a Professional Services Agreement for a General Plan Update Consultant. He encouraged Commissioners to attend the meeting.

Chair Parsons reported that the college is using their **la crosse field** without landscaping. CDD de Melo stated that he had been informed that there had been unauthorized use of the field and noted that they do not have finals on the project and will not be allowed to occupy that field until there is a landscape inspection. He believed the dedication event is scheduled for early February.

Commissioner Mayer asked for an update on the **Grand Boulevard** project. CDD de Melo confirmed that Belmont did not make the cut for the \$1.2 million grant that he was seeking from the Metropolitan Transportation Commission. He will keep looking for other ways to fund the project but it does not stop them from finalizing the plan and trying to get the improvements via capital improvement monies. The next step is to hold a neighborhood meeting to get property owner feedback, after which a final plan will be brought to the Commission and then Council. He estimated this will take 90 to 150 days to achieve.

Commissioner Frautschi made the following requests:

He asked that staff conduct a **Code Enforcement check on 1928 Arbor Avenue**. They are building a post that encroaches into the public right-of-way.

He asked CDD de Melo to thank Mark Nolfi for all of his follow-up and emails about the **NDNU la crosse fields**.

He attended a Park and Recreation Commission meeting and learned that they will be contacting the Chair about a representative from Planning to serve on a **Twin Pines Park fence project committee**—a \$110,000 project.

He announced that the large **police property locker** that is located in the Twin Pines parking lot near the fence along Ralston Ave. is no longer required and is to be removed, resulting in an open area.

He reported on an excellent **presentation that 4H** made to the Parks and Recreation Commission about tree planting in the City. He encouraged CDD de Melo to attempt to schedule it for Planning Commission and City Council meetings. Kristin Mercer is the contact person.

Commissioner Wozniak announced that she is on a committee working to design plans for **remodeling of the Manor House**. Plans will be coming to the Commission in the near future.

CDD De Melo noted that he plans to include step one of Priority Calendar setting on the agenda of the February 6th meeting. He suggested that changes to the historic resources preservation policy considered for higher ranking than in the past.

CITY COUNCIL MEETING OF TUESDAY, JANUARY 23, 2007

Liaison: Commissioner Frautschi
Alternate Liaison: Commissioner Mayer

Commissioner Frautschi stated that he cannot be the liaison to this meeting. Commissioner Mayer will be available.

8. ADJOURNMENT:

The meeting was adjourned at 8:16 p.m. to a regular meeting on Tuesday, February 6, 2007, at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

*CD's of Planning Commission Meetings are available in the
Community Development Department.*

Please call (650) 595-7416 to schedule an appointment.